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UNITED STATES DEPARTMENT OF COMMERCE United States Pat int and Trad mark Offic

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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED IN	VENTOR		ATTORNEY DOCKET NO.
09/476,633	12/31/99	WANG		L	042390.P7832
	÷		一		EXAMINER
•		MM91/0419	•		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP				GARCIA	I., 4
12400 WILSHIRE BOULEVARD				ART UNIT	PAPER NUMBER
7TH FLOOR			·		
LOS ANGELES	CA 90025			2823	
				DATE MAILED:	
					04/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks





Advisory Action

Application No. 09/476,633

Applicant(s)

Wang et al

Examiner

Joannie Adelle García

Art Unit 2823

 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. □ The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees. 3. ☒ The proposed amendment(s) will not be entered because: (a) ☒ they raise new issues that would require further consideration and/or search. (See NOTE below); (b) □ they raise the issue of new matter. (See NOTE below); (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) □ they present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: See attachment. 		- The MAILING DATE of this	communication appears on the cover sheet	with the correspondence address
a) X The period for reply expires 3 months from the mailing date of the final rejection. b) In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, is later. In no event, however, will the statutory period for the reply expire later than SIX MONTHS from the mailing date of the final rejection. Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension the have been filled is the date for purposes of determining the period of extension and the corresponding amount of the file. The expectation the have been filed is the date for purposes of determining the period of extensions and the corresponding amount of the file reports appropriate extension the extension the extension there is under 37 CFR 1.136(a). The proposed of the filed rejection, even if simely filed, may reduce any extended patent term adjustment. See 37 CFR 1.704(b). A Notice of Appeal was filed on Appellant's Brief must be (filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees. The proposed amendment(s) will not be entered because: (a) X they raise new issues that would require further consideration and/or search. (See NOTE below); (b) they raise new issues that would require further consideration and/or search. (See NOTE below); (c) X they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: See altachment. The affidavit or exhibit will NOT be considered because it is not direc	Therefore ejectional	EPLY FILED <u>4/9/01</u> ore, further action by the application under 37 CFR 1.113 may onlince; (2) a timely filed Notice of A	FAILS TO PLACE THIS APPLICATE ant is required to avoid the abandonment by be either: (1) a timely filed amendment (Appeal (with appeal fee); or (3) a timely filed.	ION IN CONDITION FOR ALLOWANCE. of this application. A proper reply to a final which places the application in condition for ed Request for Continued Examination (RCE) in
b) In view of the early submission of the proposed reply (within two months as set forth in APEP \$706.07 (ft), the period for reply expires on the mailing date of this Advisory Action. OR continues to run from the mailing date of the final rejection, whichever rejection. Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension the three bree beneficies to the date for purposes of determining the period of certains on a time corresponding amount of the fee. The appropriate extension the two beneficies (c) as set forth in (b) above, if checked. Any reply received by the Office leath on the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.734(b). A Notice of Appeal was filed on 37 CFR 1.191(d)), to avoid dismissal of the appeal. The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees. X The proposed amendment(s) will not be entered because: (a) X they raise new issues that would require further consideration and/or search. (See NOTE below); (b) they raise the issue of new matter. (See NOTE below); (c) X they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: See altachment. 4. Applicant's reply has overcome the following rejection(s): The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. River proposed drawing correction filed on				
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10. Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).	9. 🗆	The proposed drawing correc	tion filed on a)	has this has not been approved by the Examiner
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TI. 🗀 Other.	_		• • •	
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Applicant is required to comply with 37 C.F.R. 1.121 in making amendments. In the amendment filed 4-9-01, applicant is required to submit clean (with no underlining and bracketing) amended claims with an instruction to substitute it for the pending claims with the same number.

Correction is required.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-4, 6, 7, 9-15, and 18-20, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Grumbine et al, and further in view of the following comment.

The rejection is maintained as stated in the Office Action mailed 2-6-01, and as stated below.

Applicant's argument are not persuasive because they rely on the proposed amendment which has not been entered.

Claims 8, 16, 17, 21, and 22, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Grumbine et al as applied to claim 1-4, 6, 7, 9-11, 13-15, 18, and 20 above, and further in view of Robinson et al, and the following comment.

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Applicant's argument are not persuasive because they rely on the proposed amendment which has not been entered.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956. See MPEP 203.08.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner J. Garcia whose telephone number is (703) 306-5733. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (703) 308-4918. The fax number for this group is (703) 308-7722(and 7724), and (703) 305-3431 (and 3432). MPEP 502.01 contains instructions regarding procedures used in submitting responses by facsimile transmission.

George IF *q*urson Primary Examine

Art Unit 2823

JAG

April 16, 2001